In The Matter Of:

Stephen Packman

(b) (6), (b) (7)(C)

February 26, 2019

BURKE
COURT REPORTING
& TRANSCRIPTION

Original File (b) (6), (b) (7)(C)*.prn*
Min-U-Script® with Word Index

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BEFORE THE

ENVIRONMENTAL PROTECTION AGENCY

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In the Matter of:) Case #:

Stephen Packman   ) EPA-R10-2022-001402

_____)

                      Tuesday

                      February 26, 2019

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INTERVIEW OF (b) (6), (b) (7)(C)

((b) (6), (b) (7)(C)   )

</div>

APPEARANCES:

On behalf of EPA:

(b) (6), (b) (7)(C)

Also Present:

Greg Goldberg (Holland & Hart)

Joe Teig (Holland & Hart)

1   I N D E X

2   Exhibit   Description   Page

3   A   Org Chart   7

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 1                   P R O C E E D I N G S
 2          (b) (6), (b) (7)(C):  We are here in Mountain Home.  This
 3   is Special Agent (b) (6), (b) (7)(C) with EPA.  I'm here with a
 4   colleague here, (b) (6), (b) (7)(C)    , Joe Teig and Greg Goldberg
 5   from Holland & Hart, and (b) (6), (b) (7)(C), U.S. Ecology.
 6             For the record, it's February 26th, Tuesday.
 7   (b) (6), (b) (7)(C), appreciate you coming in.  We don't want to
 8   minimize the incident and accident explosion here that
 9   happened.  With a loss of life, it's always we don't
10   minimize any of those things.  So we do have a job to do
11   and we appreciate you coming in and talking with us.  It's
12   a traumatic event and we respect that.  And we do thank
13   you for your time, today.
14             With that we'll start this off.  I just want to
15   know (b) (6), (b) (7)(C)                                       .
16   And tell us (b) (6), (b) (7)(C)
17   tell us about yourself.
18             (b) (6), (b) (7)(C):  All right.  Like I said, I (b) (6), (b) (7)(C)
19   (b) (6), (b) (7)(C)
20   (b) (6), (b) (7)(C)
21   (b) (6), (b) (7)(C)
22   (b) (6), (b) (7)(C)
23             And then from there it just grew and (b) (6), (b) (7)(C)
24   (b) (6), (b) (7)(C)
25   (b) (6), (b) (7)(C)                                            ,
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1   (b) (6), (b) (7)(C)   So anything that's pretty much the

2   (b) (6), (b) (7)(C)   And then

3   (b) (6), (b) (7)(C)   .

4   (b) (6), (b) (7)(C): Tell us about your education.   (b) (6), (b) (7)(C)

5   (b) (6), (b) (7)(C)

6   (b) (6), (b) (7)(C):   (b) (6), (b) (7)(C)

7   (b) (6), (b) (7)(C)   And then I went

8   (b) (6), (b) (7)(C)

9   (b) (6), (b) (7)(C)   .

10   (b) (6), (b) (7)(C) So a (b) (6), (b) (7)(C)   ?

11   (b) (6), (b) (7)(C):   (b) (6), (b) (7)(C)   .

12   (b) (6), (b) (7)(C) Okay. And have you (b) (6), (b) (7)(C)

13   (b) (6), (b) (7)(C)

14   (b) (6), (b) (7)(C): No, no. I sat there and the

15   (b) (6), (b) (7)(C)

16   (b) (6), (b) (7)(C)

17   (b) (6), (b) (7)(C)

18   (b) (6), (b) (7)(C)   .

19   (b) (6), (b) (7)(C): I don't know why.

20   (b) (6), (b) (7)(C): No.   (b) (6), (b) (7)(C)

21   (b) (6), (b) (7)(C)

22   (b) (6), (b) (7)(C)   .

23   (b) (6), (b) (7)(C): Oh, yeah.

24   (b) (6), (b) (7)(C):   (b) (6), (b) (7)(C)

25   (b) (6), (b) (7)(C)

1   (b) (6), (b) (7)(C)

2   (b) (6), (b) (7)(C)   Yeah.

3   (b) (6), (b) (7)(C)   So you pretty much (b) (6), (b) (7)(C)

4   (b) (6), (b) (7)(C)

5   (b) (6), (b) (7)(C)

6   (b) (6), (b) (7)(C)   Oh, yeah. Is that still going on?

7   (b) (6), (b) (7)(C): No, it shut down.

8   (b) (6), (b) (7)(C)   What was the name of that?

9   (b) (6), (b) (7)(C): That was -- what was it?

10   (b) (6), (b) (7)(C)

11   (b) (6), (b) (7)(C)

12   (b) (6), (b) (7)(C): Yeah, I'm trying to -- sometimes we

13   run across, you know, we're interested in (b) (6), (b) (7)(C)

14   (b) (6), (b) (7)(C)

15   (b) (6), (b) (7)(C)   Like it was good. It pretty much

16   (b) (6), (b) (7)(C)

17   (b) (6), (b) (7)(C)

18   (b) (6), (b) (7)(C)

19   (b) (6), (b) (7)(C)   Okay.

20   (b) (6), (b) (7)(C)   So we couldn't even (b) (6), (b) (7)(C)

21   (b) (6), (b) (7)(C)   . But we

22   (b) (6), (b) (7)(C)

23   (b) (6), (b) (7)(C)   What year was that, when it was going

24   on?

25   (b) (6), (b) (7)(C): What, (b) (6), (b) (7)(C) something like

1 that.

2   (b) (6), (b) (7)(C)   Sure, okay.

3   (b) (6), (b) (7)(C):   And then after that I just (b) (6), (b) (7)(C)

4 (b) (6), (b) (7)(C)

5 (b) (6), (b) (7)(C)

6 (b) (6), (b) (7)(C)

7   (b) (6), (b) (7)(C)   Were you on an internship?

8   (b) (6), (b) (7)(C)   As an intern, yeah. I was pretty

9 much a little lab slave. I washed glassware.

10   (b) (6), (b) (7)(C)   Been there.

11   (b) (6), (b) (7)(C)   Lab slave?

12   (b) (6), (b) (7)(C)   Pretty much, yeah. That's the best

13 way to -- it was not even like a, yeah, it was -- that got

14 me interested into the world of that. (b) (6), (b) (7)(C)

15 (b) (6), (b) (7)(C)

16 (b) (6), (b) (7)(C)

17 (b) (6), (b) (7)(C)

18   (b) (6), (b) (7)(C)   Off in (b) (6), (b) (7)(C)

19   (b) (6), (b) (7)(C)   Mm-hmm.

20   (b) (6), (b) (7)(C)   So tell us about -- so I have a -- I

21 have a -- I have a 2018 hierarchy here in front of me.

22 But I want to know who kind of -- how do -- who works for

23 (b) (6), (b) (7)(currently or at least at the time of the accident

24 explosion, who kind of works for (b) (6), (b) (7)(and what do they do.

25 And how does that kind of work. Can you show -- you might

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 1   be able to use this as a reference.
 2                 (b) (6), (b) (7)(C):  Okay.  You can just mark them off,
 3   if you want.
 4                 (Exhibit A identified.)
 5                 (b) (6), (b) (7)(C):  I'll just mark it A for the recording
 6   so we know what we're looking at.  It's an org chart from
 7   2018.
 8                 (b) (6), (b) (7)(C)  So under (b) (6), (b) would be -- (b) (6), (b) (7)(C),
 9   (b) (6), (b) (7)(C)
10                 (b) (6), (b) (7)(C)   (b) (6), (b) (7)(C)              .
11                 (b) (6), (b) (7)(C)  Sorry, there we go.  So I have on
12   the customer service side, (b) (6) have (b) (6), (b) (7)(C)       And (b) (6), (b)
13   (b) (6), (b) (7)(C)  the RTF, as just loading truck.
14                 (b) (6), (b) (7)(C)      What's RTF?
15                 (b) (6), (b) (7)(C)  Royal Transit facility.  So
16   transferring inbounding trucks over there.  (b) (6), (b) (7)(C) and
17   (b) (6), (b) (7)(C)                        Then (b) (6), (b) moved into the
18   (b) (6), (b) (7)(C)                        .  So (b) (6), (b) -- and
19   then (b) (6), (b) two CSRs, or customer service specialists, that's
20   (b) (6), (b) (7)(C)  and (b) (6), (b) (7)(C)     .  So they pretty much --
21   do you want me to explain what they do?
22                 (b) (6), (b) (7)(C)  Sure, please.
23                 (b) (6), (b) (7)(C)  So they pretty much, they start the
24   profile process.  They get all the data needed once it's
25   all brought in from the generator or broker, whoever sent
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1 us the waste.

2   (b) (6), (b) (7)(C): What are their names again?

3   (b) (6), (b) (7)(C):   (b) (6), (b) (7)(C)

4   (b) (6), (b) (7)(C): And they are right on the --

5   (b) (6), (b) (7)(C): Yes.

6   (b) (6), (b) (7)(C) You're going to mark those for us.

7 Just put a star by them. Okay, thank you.

8   (b) (6), (b) (7)(C)   : So (b) (6), (b) (7)(C)

9 (b) (6), (b) (7)(C), they start the profile process.

10   (b) (6), (b) (7)(C) Yes.

11   (b) (6), (b) (7)(C) Would they have started -- you're

12 going to talk generally and that's great. We'll come back

13 to the, obviously the magnesium fine waste when we're

14 talking about the explosion. But were they involved?

15 When you talk about this process from the generator, were

16 they involved talking to the generators or at least the

17 middle people?

18   (b) (6), (b) (7)(C) I can't -- I don't know when they

19 actually moved to that role. (b) (6), (b) (7)(C)

20 (b) (6), (b) (7)(C)

21 (b) (6), (b) (7)(C)   I can't off the top of my head know

22 what year (b) (6), (b did. So the profile might already -- might

23 have already been approved.

24   (b) (6), (b) (7)(C) Oh, before --

25   (b) (6), (b) (7)(C) Before they took over. But, yes,

1 that was the position they would have talked with them.

2 That's that position, whoever is in it at the time.

3   (b) (6), (b) (7)(C) Okay. We'll come back to that. Keep

4 going.

5   (b) (6), (b) (7)(C): Okay. So that's -- and then once

6 it's approved or once everything is together then it goes

7 to the approvals coordinator and (b) (6), (b) starts giving it the

8 once over, (b) (6), (b) (7)(first -- the first look at it.

9   (b) (6), (b) (7)(C) : And usually look at the waste

10 that's going to come in?

11   (b) (6), (b) (7)(C): That's paperwork.

12   (b) (6), (b) (7)(C) : The paperwork. So profiles,

13 manifest?

14   (b) (6), (b) (7)(C): Manifests come with the waste.

15 This is just the profiles.

16   (b) (6), (b) (7)(C) Just the profile so (b) (6), (b) (7)(know what

17 (b) (6), (b) (7)(C) treating.

18   (b) (6), (b) (7)(C) Correct. What the waste is,

19 whether it's regulated, not regulated, what codes, what

20 constituents, concentrations, anything like that is in the

21 profile. So (b) (6), (b ask the generator pretty much they have to

22 fill that out. Any holes in it, (b) (6), (b get the information.

23 And then once it's complete, then (b) (6), (b start the approval

24 process. So they're just -- they're just pretty much

25 bringing the paperwork together.

1   (b) (6), (b) (7)(C)   Okay. What would be just as an

2 example, they bring the paperwork together, where do you

3 find the holes most? Or what do they -- what do they

4 spend a lot of their time doing when it comes to the

5 profile? You said fill the holes. When they fill the

6 holes, what are they spending their time doing?

7   (b) (6), (b) (7)(C): Well, like missing -- like missing

8 EPID number or they don't have a source or form code on

9 it, stuff like that. Missing address. It's just

10 paperwork. They mark -- the knowledge is from analytical,

11 but there's no analytical. They say MSDS, there's no

12 MSDS, so they get that paperwork in that's needed. So

13 then it goes to the approvals coordinator and that's (b) (6), (b) (7)(C)

14 (b) (6), (b) (7)(C)

15   (b) (6), (b) (7)(C)   : That's (b) (6), (b) (7)(C) okay.

16   (b) (6), (b) (7)(C): (b) (6), (b) (7)(C) the first look at it. So (b) (6), (b

17 starts going through it, once again looking for any holes

18 through it, anything that's wrong. Like you can't be a

19 conditional generator, this is too much, stuff like that.

20   (b) (6), (b) (7)(C)   : So (b) (6), (b) (7)(C) -- it sounds like to me

21 (b) (6), (b) (7)(C) is way in the weeks of RCRA, making sure the small

22 quantity, large quantity, trying to meet all the

23 requirements of RCRA --

24   (b) (6), (b) (7)(C): Yes.

25   (b) (6), (b) (7)(C)   : -- to keep (b) (6), (b) (7)(C) out of

1   trouble. Okay.

2   (b) (6), (b) (7)(C): So, and then on the lab side, (b) (6

3   (b) (6), (b) (7)(C) lab supervisor. That's (b) (6), (b) (7)(C)

4   (b) (6), (b) (7)(C) sorry, (b) (6), (b) (7)(C)   . And then at the time of the

5   incident, under (b) (6), (b) (7)(C) have three lab techs, (b) (6), (b) (7)(C) ,

6   (b) (6), (b) (7)(C), and (b) (6), (b) (7)(C)   , now. (b) (6), (b) (7)(C)

7   (b) (6), (b) (7)(C) also.

8   (b) (6), (b) (7)(C): I think we talked to (b) (6), (b) (7)(C) last

9   week. And then (b) (6), (b) (7)(C) is going to be today and (b) (6), (b) (7)(C)

10 Okay. And those are all underneath?

11   (b) (6), (b) (7)(C): (b) (6), (b) (7)(C) They report to (b) (6), (b) (7)(C)

12 (b) (6), (b) (7)(C) reports (b) (6), (b) (7)(C)

13   (b) (6), (b) (7)(C): Okay. And what do they do day-in,

14 day-out when it comes to their typical duties?

15   (b) (6), (b) (7)(C): Just they -- if (b) (6), (b) (7)(C) doing an

16 analytical run, they'll prep all the samples getting ready

17 for to do the TCLP. The next day they'll digest the

18 samples, run the ICP, the mercury machine. They're all

19 checked out on it. They'll fingerprint samples, do

20 paperwork, dispose of batches.

21   I mean just anything that (b) (6), (b need to do.

22 They're all -- none of them have a specialized job. They

23 do RAD surveys for the trucks. Once drum loads come in,

24 like I said, they get all the samples and do fingerprints

25 on it, and start the paperwork process. And the place

1   everything into batches. Or okay if a direct landfill, if

2   it can. Bulk loads, they look at (b) (6), (b) (7)(sampling.

3   When the samples come in, they do a fingerprint

4   on (b) (6), (b) (7)(bulk loads that's required. Then okay it for

5   stabilization or direct landfill. That's what they do.

6   And (b) (6), (b) (7)(C) was pretty much the same. (b) (6), (b) (7)(C) just at a

7   higher level. So like I said there really is no -- they

8   all do the same job.

9   And then I said (b) (6), (b) (7)(C) is also over -- (b) (6), (b) (7)(C)

10   as a supervisor for receiving. And that's next, because

11   receiving and lab control pretty much 99 percent of the

12   paperwork of the site.

13   So in receiving, (b) (6 have (b) (6), (b) (7)(C)   as

14   the lead. And then (b) (6), (b) (7)(C)   , and

15   then (b) (6), (b hired one other and that's (b) (6), (b) (7)(C)

16   (b) (6), (b) (7)(C): Do you mind running through those

17   names one more time?

18   (b) (6), (b) (7)(C) Sorry. For receiving?

19   (b) (6), (b) (7)(C) Yeah.

20   (b) (6), (b) (7)(C):   (b) (6), (b) (7)(C)

21   (b) (6), (b) (7)(C), and it's an open position that (b) (6), (b have

22   already in October, I think (b) (6), (b filled it, and so (b) (6), (b) (7)(C) the

23   newest and (b) (6), (b) (7)(C)   .

24   (b) (6), (b) (7)(C)   (b) (6), (b) (7)(C)

25   (b) (6)   :   Mm-hmm.

1   (b) (6), (b) (7)(C)   All right, we appreciate that. Did

2   you have any follow-up, (b) (6), (b) (7)(C) on the hierarchy there?

3   (b) (6), (b) (7)(C) : Not on the hierarchy. But at

4   some point I was going to ask a question about the process

5   a little bit, whenever it's appropriate.

6   (b) (6), (b) (7)(C) Yeah, let's go right into that.

7   Let's talk about the process, go ahead.

8   (b) (6), (b) (7)(C) : So, (b) (6), (b) (7)(C), I want to make

9   sure I'm understanding this correctly. So like (b) (6), (b) (7)(C)

10   (b) (6), (b) (7)(C) and (b) (6), (b) (7)(C)   , it sounds like they're kind of

11   like receiving paperwork, profile --

12   (b) (6), (b) (7)(C): Correct.

13   (b) (6), (b) (7)(C) : -- paperwork or paperwork

14   existed for customers that have had the same profile over

15   time?

16   (b) (6), (b) (7)(C): Correct.

17   (b) (6), (b) (7)(C) : Okay. So they're the paperwork

18   side of the house. And then --

19   (b) (6), (b) (7)(C): And our online portal.

20   (b) (6), (b) (7)(C) : Online meaning what?

21   (b) (6), (b) (7)(C) It's called COR, customer online

22   resource. You can -- you can submit a profile online.

23   (b) (6), (b) (7)(C) : Okay.

24   (b) (6), (b) (7)(C): Is that internal to U.S. Ecology?

25   (b) (6), (b) (7)(C): Yes. And then they print it out.

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 1   And we always have a -- we pass around a paper copy.
 2               (b) (6), (b) (7)(C)   :   Okay.
 3               (b) (6), (b) (7)(C):   During the profiles process, we
 4   still print everything out even though it's online.
 5               (b) (6), (b) (7)(C)   :   So this is the paperwork folks.
 6   And then you've got this other side of the house under
 7   (b) (6), (b) (7)(C), which is the laboratory side.  And my
 8   question, I think, is if these folks on the laboratory
 9   side receive or start analyzing the samples, because
10   they're taking the waste, is that right, for the profile
11   or a portion of the waste to test it and sample it, to
12   make sure it is what it is?
13               (b) (6), (b) (7)(C):   That would be our fingerprint
14   process, yes.
15               (b) (6), (b) (7)(C)   :   Okay.  So that group is doing
16   the fingerprint process.  If they find something that is
17   not what the profile says it is --
18               (b) (6), (b) (7)(C):   Correct.
19               (b) (6), (b) (7)(C)   :   -- is there communication
20   between these two groups?
21               (b) (6), (b) (7)(C):   Yes.  The waste is put on hold.
22               (b) (6), (b) (7)(C)   :   And does that happen, has that
23   happened?
24               (b) (6), (b) (7)(C):   And a scrub is generated and it
25   goes to customer service.  It goes to (b) (6), (b) (7)(C)
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1   (b) (6), (b) (7)(C)   :   Has that happened -- so that's

2   happened before?

3   (b) (6), (b) (7)(C):   Thousands of times, yeah.   I mean

4   it's -- it is honestly thousands of times.

5   (b) (6), (b) (7)(C)   :   So it's kind of this is a good

6   check.   This laboratory --

7   (b) (6), (b) (7)(C):   Correct.

8   (b) (6), (b) (7)(C)   :   -- analysis is a good check of

9   the profile.

10   (b) (6), (b) (7)(C):   Yes.   Of what the generator has

11   told us the waste is.

12   (b) (6), (b) (7)(C)   :   Okay, good.

13   (b) (6), (b) (7)(C):   Because like I said, we, we don't

14   see the waste.   I mean on big bulk streams, we'll get a

15   pre-sample because we have to do a treatment study.   But

16   on drum -- I mean that is what the generator says and we

17   check it against that.

18   (b) (6), (b) (7)(C)   :   Okay.

19   (b) (6), (b) (7)(C):   Like I said, we have a -- we go all

20   the way down even to color.   And that's not even part of

21   RCRA.   The color can sit there and cause a discrepancy on

22   our end.

23   (b) (6), (b) (7)(C)   :   Is there a percentage of waste,

24   a general rule, or policy or procedure that you guys have

25   for -- and I wasn't here last week, so if I'm being

1 redundant, please --

2 (b) (6), (b) (7)(C): No.

3 (b) (6), (b) (7)(C) : -- you guys tell me that you've

4 already heard this. Is there a percentage that they pull?

5 (b) (6), (b) (7)(C)   -

6 (b) (6), (b) (7)(C)

7 (b) (6), (b) (7)(C)

8 You guys are like -- it's kind of neat to come out to

9 Ecology and see it, (b) (6), (b) (7)(C)

10 (b) (6), (b) (7)(C)

11 (b) (6), (b) (7)(C): We've had discrepancies from the

12 EPA.

13 (b) (6), (b) (7)(C) : Oh, yeah. That's the

14 contractor's fault. I want that on the record.

15 (b) (6), (b) (7)(C): The sampling protocol is 10 percent

16 of the line item for containers.

17 (b) (6), (b) (7)(C) : That's what I was getting at.

18 (b) (6), (b) (7)(C): So if there's 40 containers in that

19 line item, which we all do the same waste stream, the pads

20 would sample randomly 4 of them at the minimum.

21 (b) (6), (b) (7)(C) : Okay. And they're doing

22 physical characteristics, because you mentioned color,

23 they're checking a certain amount of physical stuff --

24 (b) (6), (b) (7)(C): Yes.

25 (b) (6), (b) (7)(C) : -- they're checking. And then

1 they're doing probably some chemical analysis, because

2 these are med techs --

3   (b) (6), (b) (7)(C): Very, very limited chemical, like

4 water activity or flame, MPH.

5   (b) (6), (b) (7)(C)   But there's processes in place

6 that if they see an inconsistency of some type with the

7 profile that they've received, they're going to report

8 back to (b) (6), (b) (7)(C)   .

9   (b) (6), (b) (7)(C): Correct. They actually produce a

10 form and write-up what the discrepancy is.

11   (b) (6), (b) (7)(C)   : What's that form?

12   (b) (6), (b) (7)(C)   It's called a discrepancy form.

13   (b) (6), (b) (7)(C)   : Okay. That's a good title.

14 That's all I had.

15   (b) (6), (b) (7)(C): Great. We appreciate the rundown of

16 the process. And now we want to kind of rotate to the,

17 you know, the waste in question that caused this, that was

18 involved with the explosion, the magnesium fine dust, as

19 I'm calling it. Is there a certain name that you'd call

20 it?

21   (b) (6), (b) (7)(C): We just call it metal fines.

22   (b) (6), (b) (7)(C): Metal fines, okay. Walk us through -

23 - we had a lot of questions last week that everybody said,

24 well, talk to (b) (6), (b) (7)(C)   (b) (6), (b) (7)(C)

25   (b) (6), (b) (7)(C): Yes, I do.

1   (b) (6), (b) (7)(C):   I've read that a lot.   I've heard

2   that a lot.

3   (b) (6), (b) (7)(C):   Yes.

4   (b) (6), (b) (7)(C):   So if we -- if we get redundant or we

5   ask a lot of questions, (b) (6), (b) (7)(C)

6   (b) (6), (b) (7)(C)   -- (b) (6), (b) (7)(C)

7   (b) (6), (b) (7)(C)   .   Walk us through from start to finish

8   with this waste.   Tell us about, you know, we'd be

9   interested in hearing about Reade and any generator, or

10   even waste broker interactions, samples.   Start from

11   beginning to the end about this waste and how you usually

12   treat it.   And then we'll get into the day of the

13   accident.

14   (b) (6), (b) (7)(C):   Okay.   This waste, like I said,

15   it's a metal fine.   And based on how it comes in, we're

16   bound to treat it whether it's outdoor stab or indoor

17   stab.

18   (b) (6), (b) (7)(C):   Stop right there, if I can.   What

19   would cause something to go to indoor versus go to

20   outdoor?

21   (b) (6), (b) (7)(C):   If it's a fine waste, defined by

22   our permit, it has to go indoor stabbing.

23   (b) (6), (b) (7)(C):   So dust particulate.   Does the

24   particulate matter?   Is it the measurement that causes it

25   to go there?

1   (b) (6), (b) (7)(C):   Yep. There's two different sizes.

2   We have a little flow chart. So it can fail on the sieve

3   side, but it can also pass and go to upper stab based on

4   moisture content. So it's size, you know, it's particle

5   size and moister content dictates whether it goes indoor

6   or outdoor.

7   (b) (6), (b) (7)(C):   Okay.

8   (b) (6), (b) (7)(C):   So this one I already knew.   (b) (6

9   already slated it for indoor.

10   (b) (6), (b) (7)(C):   How do you know?

11   (b) (6), (b) (7)(C)   Because it's a metal fine.

12   (b) (6), (b) (7)(C):   And so that automatically by

13   particulate goes into that category?

14   (b) (6), (b) (7)(C):   It's a -- yeah, (b) (6), (b) (7)(C)

15   (b) (6), (b) (7)(C)   . I mean there would be no reason

16   not to. If they were to profile they're magnesium chunks,

17   then we would take a look at it and see if it, it passed

18   the criteria, and then they would mark where it needed to

19   go.

20   (b) (6), (b) (7)(C):   Okay. Understood.

21   (b) (6), (b) (7)(C):   So this one was slated for indoor

22   stabilization. The samples were pulled. Fingerprints

23   were done. It pretty much passed --

24   (b) (6), (b) (7)(C)   Let me cut you off one more second,

25   sorry.

1   (b) (6), (b) (7)(C)   Sure.

2   (b) (6), (b) (7)(C)   When was that done? When were

3   samples pulled, do you remember?

4   (b) (6), (b) (7)(C): It had to be Monday or -- on

5   Tuesday, (b) (6), (b) (7)(C)

6   (b) (6), (b) (7)(C)

7   (b) (6), (b) (7)(C)   So you're saying Tuesday of the week

8   of the explosion.

9   (b) (6), (b) (7)(C)   Mm-hmm.

10   (b) (6), (b) (7)(C): And the explosion was what day? It

11   was a Saturday.

12   (b) (6), (b) (7)(C): Correct.

13   (b) (6), (b) (7)(C): And I think it was August 18th?

14   (b) (6), (b) (7)(C): November.

15   TEIG/GOLDBERG: November 17th.

16   (b) (6), (b) (7)(C)   November 17th, okay. I've got -- I

17   have two issues in my mind, so thanks for correcting me.

18   So November 18th --

19   (b) (6), (b) (7)(C)   17th.

20   (b) (6), (b) (7)(C)   -- 17th, the Saturday. And so you're

21   saying Tuesday of that same week?

22   (b) (6), (b) (7)(C): 13th.

23   (b) (6), (b) (7)(C)   13th, got it, would have been samples

24   were taken. Okay, thank you.

25   (b) (6), (b) (7)(C): So samples were taken, run the lab.

1 They went through their process of fingerprinting.

2 (b) (6), (b) (7)(C) What's -- tell us about that process

3 a little bit more.

4 (b) (6), (b) (7)(C): The basic process is they take the

5 sample. They verify that visually it's correct. Then

6 they -- they'll add water to it. And that's twofold.

7 One, that tell if it's water reactive. And, two, they use

8 the water for pH, because it's solid.

9 (b) (6), (b) (7)(C): Sure.

10 (b) (6), (b) (7)(C): Even though it's not a code,

11 because it's solid, we still like to know what the pH is

12 if we're going to do mixes and stuff to know how much lime

13 we're going to have to add or extra lime, or anything like

14 that. So it's a -- it's a way for us to know what it is

15 and if it's going to react or with other waste or anything

16 like that liability-wise.

17 (b) (6), (b) (7)(C): Sure.

18 (b) (6), (b) (7)(C): And then the flame test. So they

19 actually take a little bit of the sampling, stick it under

20 a lighter.

21 (b) (6), (b) (7)(C): Okay.

22 (b) (6), (b) (7)(C): So like I said, these pretty much

23 came back as normal. There was nothing abnormal about it.

24 They didn't splatter or squish -- I mean splash, spit up

25 when water was added to them. So we know it wasn't highly

1   water reactive. It doesn't sustain a flame and

2   everything, pH is normal, color was normal.

3   (b) (6), (b) (7)(C): So when you say normal, you mean

4   normal for that waste? It was reacting the way you

5   thought it was going to --

6   (b) (6), (b) (7)(C): Correct.

7   (b) (6), (b) (7)(C): -- based on the profile?

8   (b) (6), (b) (7)(C) Yep.

9   (b) (6), (b) (7)(C): Okay. So you decided to treat it the

10   way you did as based on these observations of --

11   (b) (6), (b) (7)(C): Correct.

12   (b) (6), (b) (7)(C): -- of reactivity, flame.

13   (b) (6), (b) (7)(C): Correct.

14   (b) (6), (b) (7)(C): Okay.

15   (b) (6), (b) (7)(C): So once it was done, fingerprints

16   were done then (b) (6), (b) (7)(C)   ,

17   any of the possible energetics, you know, we'll confer and

18   place them in the batches. And that could range from 100

19   drums to 1 drum by itself, depends on what it is.

20   (b) (6), (b) (7)(C): And just to be clear for the record,

21   too, when (b) (6), (b) (7)(C) and I go back, when you say batch it out,

22   you mean -- are you dividing these into a certain

23   number --

24   (b) (6), (b) (7)(C): Correct.

25   (b) (6), (b) (7)(C): -- of containers to be treated --

1   (b) (6), (b) (7)(C)   Correct.

2   (b) (6), (b) (7)(C):   -- at one time?

3   (b) (6), (b) (7)(C):   That's what a batch is, yeah.

4   (b) (6), (b) (7)(C)   Yep.

5   (b) (6), (b) (7)(C):   So we'll do -- (b) (6), (b) (7)(C)

6   got the weight, had them weigh a pallet, and based on that

7   put them into batches. And then okay them for treatment.

8   (b) (6), (b) (7)(C):   Tell us about -- well, do you

9   remember how bit the batches were?

10   (b) (6), (b) (7)(C):   Three of them were 30 drums. And

11   then one of them was 43. And it was 43, because 22 of

12   them were 15-gallon drums.

13   (b) (6), (b) (7)(C):   So small -- so is it --

14   (b) (6), (b) (7)(C):   They're smaller, so there are more

15   numbers. But so it turned out to be like 32 drums in one,

16   if you do the -- divide the other ones. And then 30 in

17   the other ones.

18   (b) (6), (b) (7)(C):   And so that -- so is your batch

19   creation based on weight?

20   (b) (6), (b) (7)(C):   For some of them, yes. I mean

21   almost all, because the -- you can't overload anything you

22   have to treat. So in true essence everything is by

23   weight. Unless it's one of the super reactive ones, then

24   we -- it'll be a tiny little thing.

25   (b) (6), (b) (7)(C)   :   Just to make sure that that

1   record is clear, so 4 batches, 30, 30, 30, and 43?

2   (b) (6), (b) (7)(C): Correct. I think that was the

3   number, yes.

4   (b) (6), (b) (7)(C)   30 containers, 30 containers.

5   (b) (6), (b) (7)(C): Yes.

6   (b) (6), (b) (7)(C): And some of these containers were

7   15-gallon.

8   (b) (6), (b) (7)(C): And the other ones were 30-gallon.

9   (b) (6), (b) (7)(C): And 30-gallon drums, okay.

10   (b) (6), (b) (7)(C) : Can we go back a little bit? Do

11   you know if they -- do you know if they were operating

12   under a new profile that was sent to you guys or an

13   historical profile?

14   (b) (6), (b) (7)(C)   Historical profile.

15   (b) (6), (b) (7)(C) : Do you know where that

16   historical profile, what year that historical profile was

17   provided?

18   (b) (6), (b) (7)(C): I do believe 2012.

19   (b) (6), (b) (7)(C)   So Reade provided a profile in

20   2012?

21   (b) (6), (b) (7)(C): Correct.

22   (b) (6), (b) (7)(C) : Okay.

23   (b) (6), (b) (7)(C): And, yeah, just to be clear, from

24   some of the comments from last week, did they -- I think

25   were they -- did they send you a pre-sample for analysis

1 to look at? Do you remember that?

2 (b) (6), (b) (7)(C): I do not remember at all. Like I,

3 I heard about it and such. I can't, no remembrance of

4 that sample. Like I said, I've seen thousands since.

5 (b) (6), (b) (7)(C) Sure.

6 (b) (6), (b) (7)(C): So it didn't -- there was nothing

7 on my radar for the sample.

8 (b) (6), (b) (7)(C) : Had you received stuff from

9 Reade since 2012?

10 (b) (6), (b) (7)(C): Not under this profile.

11 (b) (6), (b) (7)(C) : 2012 was the last time you

12 received a profile from them and waste?

13 (b) (6), (b) (7)(C): That's what I'm -- I haven't

14 (b) (6), (b) (7)(C)   . But that's

15 the only one that I know of.

16 (b) (6), (b) (7)(C)   Okay.

17 (b) (6), (b) (7)(C)   Is that -- keep going, yeah. I think

18 we, we stopped with the containers and then you batched it

19 out.

20 (b) (6), (b) (7)(C): Right. We batched it out. And

21 then they'll get it for them to treat.

22 (b) (6), (b) (7)(C)   And so who treats?

23 (b) (6), (b) (7)(C)   Operations.

24 (b) (6), (b) (7)(C)   Operations?

25 (b) (6), (b) (7)(C)   Yes.

1   (b) (6), (b) (7)(C): So do you -- tell us about the

2   process. Last week, we talked about some paperwork. But

3   what's your communication with operations?

4   (b) (6), (b) (7)(C): For container waste, we will

5   formally dump -- we will handwrite a batch first. So that

6   has all the -- all the information on it, codes, what

7   container it was, work order number, manifest number,

8   everything is on that batch sheet. Once it's done then we

9   send it to receiving and receiving will type it up. And

10   that's what we give operations. That's their dumping

11   sheet.

12   (b) (6), (b) (7)(C): Okay.

13   (b) (6), (b) (7)(C): Once they have that and they could

14   have a stack of them, because we just constantly process

15   them, then operations will pull what batches they want to

16   do and process them.

17   (b) (6), (b) (7)(C): Do you tell them which ones to do or

18   they --

19   (b) (6), (b) (7)(C): No.

20   (b) (6), (b) (7)(C): They're kind of the ground making

21   that decision.

22   (b) (6), (b) (7)(C): Only if it's a very -- a very, very

23   specific one will there be special instructions (b) (6), (b) (7)(C)

24   (b) (6), (b) (7)(C) , or let's do this on a non-windy day, or

25   something like that. So that's the only time, if it's a

1 very special circumstance do (b) (6), (b) (7)(C) when they process

2 them. Because they know what -- how much time they have

3 and how much it's going to take based on their experience.

4 So they know better how many -- what they can do.

5   (b) (6), (b) (7)(C): And so you handed this off to who

6 that day? Who would have been the operations head of the,

7 you know, when they got the receipt, the instructions to

8 treat the waste, who would have been that person?

9   (b) (6), (b) (7)(C):   (b) (6), (b) (7)(C)

10   (b) (6), (b) (7)(C): So that would have been?

11   (b) (6), (b) (7)(C)   (b) (6), (b) (7)(C)   ,

12 (b) (6), (b) (7)(C)   .

13   (b) (6), (b) (7)(C): Is your involvement any, anything

14 abnormal about that waste or that week I guess, just for

15 the record, you were -- I(b) (6), (b) (7)(C)

16 (b) (6), (b) (7)(C)   .

17   (b) (6), (b) (7)(C):   (b) (6), (b) (7)(C)   .   (b) (6), (b) (7)(C)

18 (b) (6), (b) (7)(C)   .

19   (b) (6), (b) (7)(C)   (b) (6), (b) (7)(C)   yeah. Sorry about that.

20 So previous that week, anything abnormal about that waste,

21 or the process, or the samples that were coming?

22   (b) (6), (b) (7)(C): No, nothing was abnormal. So there

23 was magnesium powder. There was nothing in the

24 fingerprint to show it was abnormal or anything. Anything

25 abnormal they would have, before they even batched it out

1   (b) (6), (b) (7)(C)

2   (b) (6), (b) (7)(C):   And we talked previously about a

3   sheet that the profilers would have brought up. It was a

4   very obvious name. It was -- what did they call it? We

5   called it the differentiation sheet, I think.

6   (b) (6), (b) (7)(C) Discrepancy form?

7   (b) (6), (b) (7)(C) Discrepancy form. Was there a

8   discrepancy form produced for that batch that day that was

9   treated that week?

10   (b) (6), (b) (7)(C)   Not that I know of.

11   (b) (6), (b) (7)(C)   Okay.

12   (b) (6), (b) (7)(C)   Would (b) (6), (b) (7)(C) be the one to -- you

13   say not that you know of. Would (b) (6), (b) (7)(C) be the one probably

14   most likely to know if a discrepancy form was created

15   since (b) (6), (b) (7)(C) over the lab?

16   (b) (6), (b) (7)(C)   Yes. Or whoever generated the

17   discrepancy if there was one. But no discrepancy was

18   (b) (6), (b) (7)(C)   .

19   (b) (6), (b) (7)(C) :   Did you guys interview (b) (6), (b) (7)(C)

20   (b) (6), (b) (7)(C):   No. (b) (6), (b) (7)(C) be today or tomorrow.

21   (b) (6), (b) (7)(C) :   If you're looking at stuff, I

22   have a question.

23   (b) (6), (b) (7)(C)   Go for it.

24   (b) (6), (b) (7)(C)   You may not be able to answer

25   this. Reade didn't send you any waste since 2012 until

1 this stuff, it's my understanding. But did Reade ever ask

2 you guys to bid a job?

3   (b) (6), (b) (7)(C)   No, I have no -- I'm not aware of

4 anything.   (b) (6), (b) (7)(C)   --

5   (b) (6), (b) (7)(C)   :   (b) (6), (b) (7)(C)

6 (b) (6), (b) (7)(C)

7   (b) (6), (b) (7)(C)   One of our sales persons, yeah.

8   (b) (6), (b) (7)(C)   Is that (b) (6), (b) (7)(C)

9   (b) (6), (b) (7)(C):   (b) (6), (b) (7)(C)

10 their, their boundaries anymore.

11   (b) (6), (b) (7)(C)   :   Okay.

12   (b) (6), (b) (7)(C):   (b) (6), (b) (7)(C)

13 (b) (6), (b) (7)(C)   .   But now it's pretty --

14   (b) (6), (b) (7)(C)   :   Is it common, though, for

15 companies to get bids from you guys, because they're

16 shopping around for waste disposal, right?   (b) (6), (b) (7)(C)

17 (b) (6), (b) (7)(C).

18   (b) (6), (b) (7)(C):   Correct, yes. We, we bid waste

19 continuously.

20   (b) (6), (b) (7)(C)   :   Yeah. So it would be

21 interesting to see if Reade ever asked to have waste

22 disposed by you -- by you guys or if you guys provided

23 them a bid between 2012 and 2018, because it would just be

24 interesting --

25   (b) (6), (b) (7)(C):   Yeah.

1   (b) (6), (b) (7)(C)   : -- to see if the waste sent

2   someplace else.   (b) (6), (b) (7)(C)

3   (b) (6), (b) (7)(C)

4   (b) (6), (b) (7)(C):   (b) (6), (b) (7)(C)

5   (b) (6), (b) (7)(C)   : Do you have those names?

6   (b) (6), (b) (7)(C):   Yeah.

7   (b) (6), (b) (7)(C)   : Okay, perfect.

8   (b) (6), (b) (7)(C)RD: So, (b) (6), (b) (7)(C) tell us about, you know, it

9   was mentioned several times that (b) (6), (b) (7)(C)

10   (b) (6), (b) (7)(C)   calculate how to

11   batch these things and how to do the calculations to treat

12   this waste.   (b) (6), (b) (7)(C)

13   (b) (6), (b) (7)(C)   .   (b) (6), (b) (7)(C)

14   (b) (6), (b) (7)(C): Well, like I said, this waste

15   appears to be D001, D003, so we have two waste codes to

16   deactivate pretty much. There's no backend testing,

17   because it does not carry any metal code. So since it's

18   D003, we have to react it out with water. And then since

19   it's D001, we have to make sure it doesn't sustain a burn.

20   So that's part of the solidification process.

21   (b) (6), (b) (7)(C)   : Is 1 ignitability?

22   (b) (6), (b) (7)(C):   Yes.

23   (b) (6), (b) (7)(C)   : Yeah. And what's 3, reactivity?

24   (b) (6), (b) (7)(C)   Reactivity.

25   (b) (6), (b) (7)(C):   Okay. Go ahead.

1   (b) (6), (b) (7)(C): Since this waste was slated for

2 indoor, for this treatment train we'll add water to the

3 pit. And then they'll dump with the spray bars on, the

4 APC, the air pollution control system on, since it's fine

5 waste. And we just start the wetting process.

6   (b) (6), (b) (7)(C): Go ahead.

7   (b) (6), (b) (7)(C) : Is the -- you said something

8 about an air control because it's a fine waste.

9   (b) (6), (b) (7)(C): Correct.

10   (b) (6), (b) (7)(C) : Is that to pull the fines up out

11 of the system if fines are generated and it bags it in

12 some sort of a sock or something?

13   (b) (6), (b) (7)(C): In the bag house.

14   (b) (6), (b) (7)(C) : In the bag house, okay.

15   (b) (6), (b) (7)(C): Tell us about the air -- tell us more

16 about the air system and the ventilation. How is it set

17 up in the indoor stab -- or I guess (b) (6), (b) (7)(C)

18 (b) (6), (b) (7)(C)

19   (b) (6), (b) (7)(C): No. That's operations.

20   (b) (6), (b) (7)(C): That's operations. So that would

21 have been, well, (b) (6), (b) (7)(C)   . But

22 at the time (b) (6), (b) (7)(C)   .

23   (b) (6), (b) (7)(C): Correct.

24   (b) (6), (b) (7)(C): And do we know if the air, air was

25 running at the time?

1   (b) (6), (b) (7)(C): It should have been. (b) (6), (b) (7)(C)

2   (b) (6), (b) (7)(C)

3   (b) (6), (b) (7)(C) Tell us about the indoor, you know,

4   the indoor -- is there -- tell us about the system of --

5   I'm trying to come up with the right terms. You know you

6   have your ventilation and then how did that work. Was

7   there -- is there gauges? Is there -- how do you know,

8   when do you know that it's on as running? Is there a

9   feedback to a central control room or it's just one, you

10 know, is it just a manual switch to turn on?

11   (b) (6), (b) (7)(C) Manual switch. And then there's a

12 Magnehelic to verify the pressure drop across the bag

13 house and keep it filtered.

14   (b) (6), (b) (7)(C): Is it all contained in the indoor

15 stab building or is there like would it come to you guys

16 and --

17   (b) (6), (b) (7)(C): No. It's at the -- it's at the

18 containment building outside of it.

19   (b) (6), (b) (7)(C): Outside of it.

20   (b) (6), (b) (7)(C) Mm-hmm.

21   (b) (6), (b) (7)(C) So back up for us. I don't know if I

22 understood that word you used. You said bag house and

23 then what was that?

24   (b) (6), (b) (7)(C): Magnehelic.

25   (b) (6), (b) (7)(C): Magnehelic. Tell us about that.

1   (b) (6), (b) (7)(C): Yes. It just measures the pressure

2   drop across two openings.

3   (b) (6), (b) (7)(C): And then would that record the

4   pressure drop somewhere?

5   (b) (6), (b) (7)(C): No. I think the reading.

6   (b) (6), (b) (7)(C): You think a reading.

7   (b) (6), (b) (7)(C): Mm-hmm.

8   (b) (6), (b) (7)(C): And then where would that output of

9   the reading be?

10   (b) (6), (b) (7)(C) : Is it on the meter?

11   (b) (6), (b) (7)(C): It's in inches of water. So they

12   take the reading and write it down.

13   (b) (6), (b) (7)(C): So it's a manual, manual record --

14   (b) (6), (b) (7)(C): Yes.

15   (b) (6), (b) (7)(C): -- the readings. And I'm assuming

16   all that was destroyed in the --

17   (b) (6), (b) (7)(C) Yes.

18   (b) (6), (b) (7)(C): -- in the explosion. Did any get

19   saved, has anybody --

20   (b) (6), (b) (7)(C): Just the past, just the past ones.

21   (b) (6), (b) (7)(C): Historic ones that were stored

22   somewhere --

23   (b) (6), (b) (7)(C): Correct.

24   (b) (6), (b) (7)(C): -- in your records, okay. I'm not

25   knowing your ventilation system. Is there any other -- or

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 1    that building indoor stab, in indoor stab is there any
 2    other gauges, or lights, or any indicators that are
 3    associated with that building that you guys would use to
 4    make sure it's running correctly or, it's hard to say,
 5    maybe an inspector would come in and look at to make -- to
 6    visually check and see if it was running correctly?
 7              (b) (6), (b) (7)(C):   Just those.
 8               (b) (6), (b) (7)(C):   Just that's your system right there.
 9              (b) (6), (b) (7)(C):   Mm-hmm.
10               (b) (6), (b) (7)(C):   So other -- I wish I had picture of
11    it.  Are there lights or indicators that come on or off
12    depending on the function of that ventilation system?
13              (b) (6), (b) (7)(C):   No.   (b) (6), (b) (7)(C)
14    (b) (6), (b) (7)(C)                                  .  I
15    thought that was for the, the lime addition.  And there's
16    a bunch of lights.  It's a control panel.   (b) (6), (b) (7)(C)
17    (b) (6), (b) (7)(C)                                .   (b) (6), (b) (7)(C)
18    (b) (6), (b) (7)(C)                         But --
19               (b) (6), (b) (7)(C):   So from your comments before, is that
20    a question more properly answered by (b) (6), (b) (7)(C)
21              (b) (6), (b) (7)(C)   Yes.
22               (b) (6), (b) (7)(C)   Those(b) (6), (b) (7)(C), okay.  Is this
23    getting out of your, your area of responsibility?
24              (b) (6), (b) (7)(C):   Yes, it is.
25               (b) (6), (b) (7)(C):   Okay.  I'm just curious.  And one
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1   more question on that. Why would there be any -- it

2   (b) (6), (b) (7)(C)   but

3   (b) (6), (b) (7)(C)   Is there any reason why someone would

4   want to cover up gauges or lights associated with the

5   ventilation system?

6   (b) (6), (b) (7)(C)   No. They have to note it down.

7   When it's covered up, you can't see it.

8   (b) (6), (b) (7)(C): Sure.

9   (b) (6), (b) (7)(C): And it runs continuously while it's

10 on.

11   (b) (6), (b) (7)(C): I've asked this question to several

12 folks now. But to your knowledge would there be any

13 reason or any knowledge that you'd have that someone did

14 cover those up say during a monthly DQ inspection?

15   (b) (6), (b) (7)(C): No. Because it would -- I mean

16 that would generate a question of why is the system down

17 and where is your work order. So --

18   (b) (6), (b) (7)(C) : Work order for a fix?

19   (b) (6), (b) (7)(C): Yes. We are allowed to operate

20 without the bag house running long as it's not a fine

21 waste.

22   (b) (6), (b) (7)(C) : Got it.

23   (b) (6), (b) (7)(C): So we can process tankers, filter

24 cakes, sludges, anything like that we do not have to run

25 the air pollution system because that's not a dusty waste.

1 (b) (6), (b) (7)(C): Soon as you have a dust come in, the

2 ventilation has to come on?

3 (b) (6), (b) (7)(C): Correct.

4 (b) (6), (b) (7)(C) Okay. Any questions, (b) (6), (b) (7)(C)

5 (b) (6), (b) (7)(C) : No.

6 (b) (6), (b) (7)(C) I think, I think that's what we're

7 looking for. We've asked everything we're looking for.

8 We may come back and ask questions later, obviously

9 through counsel here. But I want to thank you for your

10 time. Appreciate you telling the story. Anything to add?

11 (b) (6), (b) (7)(C) : Yeah, anything you want us to

12 know?

13 (b) (6), (b) (7)(C): No, you guys pretty much have

14 covered it. I mean it's pretty straightforward and

15 everything.

16 (b) (6), (b) (7)(C): Now who is your -- (b) (6), (b) (7)(C)

17 (b) (6), (b) (7)(C)

18 (b) (6), (b) (7)(C)

19 (b) (6), (b) (7)(C)

20 (b) (6), (b) (7)(C)

21 (b) (6), (b) (7)(C): That would be (b) (6), (b) (7)(C)

22 (b) (6), (b) (7)(C): (b) (6), (b) (7)(C)

23 (b) (6), (b) (7)(C) And then if it's something that I

24 (b) (6), (b) (7)(C)   It

25 doesn't go. (b) (6), (b) (7)(C)

1   (b) (6), (b) (7)(C)

2   (b) (6), (b) (7)(C)   There's always an

3   open line of communication. And they're pretty much under

4   the, you know, stop work thing. If they don't feel

5   comfortable, they don't process it.

6   (b) (6), (b) (7)(C): Sure.

7   (b) (6), (b) (7)(C): So I mean even if it's simple as a

8   drum load, just a sampling, if we were allowed to let it

9   sit. We don't have to do that stuff right away. So we're

10   allowed to store it safely. So any time we can stop at

11   any point in time.

12   TEIG/GOLDBERG: Are you guys familiar with the

13   stop work authorities and responsibilities of the

14   employees? That might be worth -- that might be worth a

15   few sentences.

16   (b) (6), (b) (7)(C): Well, they're allowed to initiate

17   that at any point in time. And it's --

18   (b) (6), (b) (7)(C) Initiate the stop work order?

19   (b) (6), (b) (7)(C) Yes. If they don't feel

20   comfortable doing something, they don't have to and they

21   stop. Like I said, the best example is (b) (6), (b) (7)(C)

22   (b) (6), (b) (7)(C)   This is a

23   hazardous waste facility. Just because the generator says

24   what they say, I mean it's hazardous waste. It's the end

25   result of stuff no one can recycle or get rid of.

1   So if something is reacting like it's not

2 supposed to, they, they come to a complete stop and get a

3 (b) (6), (b) (7)(C)   And like I said if the lab can't

4 answer it, (b) (6), (b) (7)(C)   And the, the workers out

5 there have no problem initiating that continuously.

6   (b) (6), (b) (7)(C)   (b) (6), (b) (7)(C) tell us about -- can you give

7 us a couple of examples in the last, you know, the last

8 previous 12 months where (b) (6), (b) (7)(C)

9 (b) (6), (b) (7)(C)

10   (b) (6), (b) (7)(C) : Yeah, when is the last one you

11 recall?

12   (b) (6), (b) (7)(C): I mean what would be the last one I

13 recall? When was it, like some acetates that overflowed a

14 bin, a little more -- little more vigorous reaction than

15 we would have expected. And it was taking more lime than

16 it should have.

17   (b) (6), (b) (7)(C)   What was the timeframe of that

18 one, 6 months ago, a year, 2 years ago?

19   (b) (6), (b) (7)(C): Within 6 months ago.

20   (b) (6), (b) (7)(C)   Okay.   (b) (6), (b) (7)(C)

21   (b) (6), (b) (7)(C) Look at it and see what's going on,

22 and what we can do about it. Dumping some -- some

23 examples, dumping some waste and, you know, see a smoker

24 or something because it's reacting. I mean --

25   (b) (6), (b) (7)(C) : See a visual reaction that's not

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 1   normal?
 2              (b) (6), (b) (7)(C)   Mm-hmm.
 3              (b) (6), (b) (7)(C)      That type of thing.
 4              (b) (6), (b) (7)(C)   Yep.  And they always -- they'll
 5   stop, the outdoor stab or indoor stab, stop and have
 6   someone come down and look at it.
 7              (b) (6), (b) (7)(C)      And you're, (b) (6), (b) (7)(C)
 8   (b) (6), (b) (7)(C)
 9              (b) (6), (b) (7)(C):  Yes, yep.
10              (b) (6), (b) (7)(C)   :   (b) (6), (b) (7)(C)
11   (b) (6), (b) (7)(C)              --
12              (b) (6), (b) (7)(C)    (b) (6), (b) (7)(C)
13   (b) (6), (b) (7)(C)
14              (b) (6), (b) (7)(C)   :  Putting SCBAs on or --
15              (b) (6), (b) (7)(C):  No.  I usually just my hat face.
16              (b) (6), (b) (7)(C)   :  Hat face.
17              (b) (6), (b) (7)(C):  And like I said if it's that bad
18   then everyone is out of there anyways and (b) (6), (b) (7)(C)
19   Let's say if it's off-gassing bad, I don't know, just some
20   kind of reaction, then we'll just let it calm down and
21   tell anyone comes near it once it calms down then we can
22   go and inspect it.
23              (b) (6), (b) (7)(C)   :  How many of these have you
24   looked at over the years do you think, (b) (6), (b) (7)(C)
25   (b) (6), (b) (7)(C)
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1   (b) (6), (b) (7)(C):   Oh, hundreds.

2   (b) (6), (b) (7)(C)   :   Hundreds?

3   (b) (6), (b) (7)(C):   Yeah.

4   (b) (6), (b) (7)(C):   So I'd say -- I know I'm asking you

5   to speculate, but (b) (6), (b) (7)(C)

6   (b) (6), (b) (7)(C)

7   (b) (6), (b) (7)(C)

8   (b) (6), (b) (7)(C)

9   (b) (6), (b) (7)(C)

10   (b) (6), (b) (7)(C):   I really don't -- I have no idea.

11 Like I said, this is unprecedented.

12   (b) (6), (b) (7)(C)   Yeah.

13   (b) (6), (b) (7)(C)   Plain and simple. Like I can tell

14 like when (b) (6), (b) (7)(C)

15 (b) (6), (b) (7)(C)   I mean that's what I -- that was in my head from

16 our other facilities having things happen. I expected

17 that. I did have no, in my worst nightmares, seeing what

18 I saw. I really have no -- this is actually beyond my

19 capabilities of understanding what happened. So --

20   TEIG/GOLDBERG: (b) (6), (b) (7)(C) and I think since (b) (6), (b) (7)(C) is

21 here, maybe we should clear this up. I think you asked

22 about the profile that historically had been proved back

23 in 2012. (b) (6), (b) (7)(C) I think it might be helpful to clarify

24 that was the profile update before this waste was treated

25 that --

1   (b) (6), (b) (7)(C):   It was -- it was reapproved.

2   TEIG/GOLDBERG: Okay.   And what goes to the

3   reapproval process?

4   (b) (6), (b) (7)(C):   Okay.   So when we have -- when we

5   have the profiles come in, they're only good for one year.

6   Then they have to recertify them.   We send out a notice to

7   the generator or broker, like I said, with this waste we

8   would never have talked to Reade.   It came through a

9   broker.   We don't -- we don't -- that's their customer.

10   Reade is the generator, the actual billing broker is a

11   totally different company.   That's who we -- that's who we

12   go through.

13   So then they do -- they just pass it on.   So at

14   that point in time, they can recertify it as-is.   It just

15   needs changing.   So if the process never changed, they'll

16   say recertify as is, no process changes.   This is the form

17   that we send them a letter.   And then we recertify that

18   profile for another year.

19   If something bad happens or they just blatantly

20   we can't touch this waste, this is wrong, we actually

21   cancel the profile.   That means they cannot ship on that

22   profile again.   Our system doesn't allow a cancelled

23   profile to be scheduled.   And then we can't inbound it.

24   If you can't inbound it, you can't print paperwork.   I

25   mean it just stops.   You can't even go to the next screen.

1 You can't save it, can't do anything.

2   Then there is the other class of expired

3 profiles. That is just after when they don't recertify,

4 they just become expired. They're still good profiles,

5 because we've had hundreds recertify them after a couple

6 of years, because they, whatever reason they now have that

7 waste again so they want to resurrect the profile.

8   So this profile was expired because of

9 inactivity. So they want to schedule in. We can't

10 schedule in. Shows it expired. Send off for

11 recertification. We get the recertification. Now we can

12 schedule and now we can inbound.

13   (b) (6), (b) (7)(C): So when you go to recertify, that

14 goes back to the broker in this instance?

15   (b) (6), (b) (7)(C): Mm-hmm.

16   (b) (6), (b) (7)(C): Okay. And this is at (b) (6), (b) (7)(C)?

17   TEIG/GOLDBERG: And (b) (6), (b) (7)(C) You're going to talk

18 to (b) (6), (b) (7)(and (b) (6), (b) (7)(C) -- (b) (6), (b) (7)(C) the one who --

19   (b) (6), (b) (7)(C): Yeah, with the customer service

20 group. They're the ones that do the recertifications.

21   (b) (6), (b) (7)(C)   (b) (6), (b) (7)(C)

22 (b) (6), (b) (7)(C)

23   (b) (6), (b) (7)(C): Even if -- might not have been a

24 conversation. (b) (6), (b) (7)(C)   , you've

25 got to recertify this. So it might have been a digital

1   conversation. Or we just sent it to, hey, we need this

2   recertified.

3   (b) (6), (b) (7)(C): Just because it's worth asking, would

4   you know or have knowledge of what these brokers would do

5   to have to recertify a waste, if they're moving stuff

6   around and using old profiles? Just with your knowledge

7   of the industry --

8   (b) (6), (b) (7)(C): In the industry?

9   (b) (6), (b) (7)(C) Yeah. Will you be getting back to

10   the generator? The broker has to go back to the

11   generator.

12   (b) (6), (b) (7)(C): Yes.

13   (b) (6), (b) (7)(C): Right?

14   (b) (6), (b) (7)(C): Yes.

15   (b) (6), (b) (7)(C): And I guess I'm going to ask this and

16   I don't expect you to know. But do you know if that

17   generator -- that middle man went back to Reade to

18   recertify?

19   (b) (6), (b) (7)(C): No, I don't. I have no idea.

20   (b) (6), (b) (7)(C) Would anybody at Ecology know if that

21   guy went back to recertify? Would a salesman? Not to

22   your --

23   (b) (6), (b) (7)(C) We deal with the broker.

24   (b) (6), (b) (7)(C) : Is this broker known to you,

25   familiar?

1   (b) (6), (b) (7)(C): (b) (6), (b) (7)(C)

2   (b) (6), (b) (7)(C) : Whoever. I don't know who this

3 person is, this broker --

4   (b) (6), (b) (7)(C): (b) (6), (b) (7)(C)?

5   (b) (6), (b) (7)(C) : (b) (6), (b) (7)(C) ?

6   (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) is what we had --

7   (b) (6), (b) (7)(C): (b) (6), (b) (7)(C) yeah.

8   (b) (6), (b) (7)(C) -- from, from Capitol -- I forgot the

9 last part of their name.

10   (b) (6), (b) (7)(C): Capitol Environmental.

11   (b) (6), (b) (7)(C): Capitol Environmental. Yeah, tell us

12 about their -- tell us about their reputation.

13   (b) (6), (b) (7)(C) Never really -- (b) (6), (b) (7)(C) a

14 (b) (6), (b) (7)(C) . (b) (6), (b) (7)(C)

15 (b) (6), (b) (7)(C) . So I mean there's always

16 been -- like I said, (b) (6), (b) (7)(C) and the customer service group

17 have never had to come to me and have me get involved on

18 contacting them because they're not a -- not a problem

19 child. We do have some problem childs out there that it

20 has to take, you know, just like speak to your manager,

21 please.

22   (b) (6), (b) (7)(C) (b) (6), (b) (7)(C) talked with a few of you, a few

23 of you about those.

24   (b) (6), (b) (7)(C): So I mean that's how we operate is

25 if they can handle it, (b) (6), (b) (7)(C) . If it

1   gets to the point where it needs to be elevated, (b) (6), (b) (7)(C)

2   (b) (6), (b) (7)(C). And it's pretty much in the realm of fits under

3   discrepancy, okay, this is the third time you sent the

4   same discrepancy in, you're done. Get this fixed. The

5   profile is canceled until you can -- we have done that

6   before.

7   (b) (6), (b) (7)(C): With brokers?

8   (b) (6), (b) (7)(C): And generators.

9   (b) (6), (b) (7)(C): And generators.

10   (b) (6), (b) (7)(C): Because sometimes we do deal with

11   the generators, too. Not all the waste is broker waste.

12   So we're a mix of both.

13   (b) (6), (b) (7)(C)   (b) (6), (b) (7)(C), who at your company

14   would have deal with (b) (6), (b) (7)(from the broker besides the

15   salesman?

16   (b) (6), (b) (7)(C):   (b) (6), (b) (7)(C)   I

17   mean they're the ones that will recert and doing the

18   profiles.

19   (b) (6), (b) (7)(C): And again around this waste, it would

20   have been (b) (6), (b) (7)(C) that would have been interacting there or

21   could it have been (b) (6), (b) (7)(C) as well?

22   (b) (6), (b) (7)(C): It could have been Dave and Jen.

23   (b) (6), (b) (7)(C): Could have been.

24   (b) (6), (b) (7)(C): Or send out the recertification, it

25   could have been (b) (6), (b) (7)(C)

1   (b) (6), (b) (7)(C)   (b) (6), (b) (7)(C)   What's (b) (6), (b) (7)(C)   --

2   (b) (6), (b) (7)(C):   (b) (6), (b) (7)(C)

3   (b) (6), (b) (7)(C):   (b) (6), (b) (7)(C)   ?

4   (b) (6), (b) (7)(C):   mm-hmm.   (b) (6), (b) (7)(C)

5   Like I said, it's a simple form. Like is this waste the

6   same.

7   (b) (6), (b) (7)(C)   It's a simple email?

8   (b) (6), (b) (7)(C)   Yeah. Like you just email it and

9   everything. Then once, once we approve it, then we send

10   them a letter saying your waste is approved pending, you

11   know, all the yah, yah stuff.

12   (b) (6), (b) (7)(C):   And no problem with (b) (6), (b) (7)(C)

13   (b) (6), (b) (7)(C)   ever?

14   (b) (6), (b) (7)(C):   No. None that -- none that set off

15   my radar as remembering.

16   (b) (6), (b) (7)(C)   Yeah, like a repetitive type of

17   problem.

18   (b) (6), (b) (7)(C):   Yeah, some of the other ones, like

19   I mean there's -- like I said, we have our problem childs

20   and they are not one of them.

21   (b) (6), (b) (7)(C)   Sure.

22   (b) (6), (b) (7)(C)   They've done some big jobs with

23   them without incident. So --

24   (b) (6), (b) (7)(C) : I don't have anything else.

25   (b) (6), (b) (7)(C): No, I think that's it. We appreciate

1 your time.

2   (b) (6), (b) (7)(C) No problem. So if there's anything

3 else, let me know.

4   (b) (6), (b) (7)(C)   If for some reason later today

5 or tomorrow something jobs your memory and you think it

6 might be helpful to us, just get a hold of you --

7   (b) (6), (b) (7)(C) Okay.

8   (b) (6), (b) (7)(C) : These two gentlemen and they can

9 get in touch with (b) (6), (b) (7)(C) because sometimes after thinking

10 about it you might remember something.

11   (b) (6), (b) (7)(C): No problem.

12   (b) (6), (b) (7)(C)   It's a pleasure meeting you.

13   (b) (6), (b) (7)(C): Pleasure meeting you.

14   (End of Interview)

15   CERTIFICATION

16   I, (b) (6), (b) (7)(C) , court approved transcriber,

17 certify that the foregoing is a correct transcript from

18 the official electronic sound recording of the proceedings

19 in the above-entitled matter.

20

21 /(b) (6), (b) (7)(C)   05/01/2023

22 Burke Court Reporting & Transcription

23

24

25

/

/s/(b) (6), (b) (7)(**(1)**
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A

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